

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

MARK TURULSKI, SR.		CIVIL ACTION
	Plaintiff	
vs.		NO.
AMTRAK		
	Defendant	
		JURY TRIAL DEMANDED 12 JURORS REQUESTED

**NOTICE OF REMOVAL**

**TO THE HONORABLE JUDGES OF THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE:**

The Petitioner, Defendant, Amtrak, by and through its attorneys, Gallagher, Rowan & Egbert, P.C., respectfully avers the following:

1. On March 16, 2006, this action was commenced against the Defendant Amtrak in the Court of Common Pleas in the County of New Castle, Delaware, upon the filing of a Praecipe for Summons and Complaint. This case is known as **Mark Turulski, Sr. v. Amtrak**, C.A. No. 06C-03-170. The Complaint is attached hereto, and made part hereof as Exhibit A.

2. Amtrak received service of the Plaintiff's Complaint on or about March 20, 2006.

3. Defendant Amtrak is a corporation created by an Act of Congress codified at 49 U.S.C. § 24301, et seq..

4. The Federal Government owns and owned during all relevant times

hereto more than one-half of the capital stock of the Defendant, Amtrak.

5. The above-described action is a Civil Action over which this Honorable Court has federal question jurisdiction under 28 U.S.C. §1331, given that Defendant Amtrak was created by an Act of Congress, wherein the United States is the owner of more than one-half of its capital stock. Eichelberg v. National Railroad Passenger Corp., 57 F.3d 1179 (2nd Cir. 1995); Foster v. National Fire, Marine & Inland Ins. Co., 986 F.2d 48, 51 (3d Cir. 1993); Capocy v. Kirtadze, et al., 1997 W.L. 182296 (N.D. Ill. 1997); Gibson v. National R. R. Corp., 170 F.R.D. 408 (E.D. Pa. 1997); Landman v. Borough of Bristol, 896 F. Supp. 406, 407-408 (E.D. Pa. 1995); Wormley v. Southern Pacific Transp. Co., 863 F. Supp. 382 (E.D. Tex 1994); Estate of Wright v. Illinois Cent. R. Co., 831 F.Supp. 574 (S.D. Miss. 1993); Boone v. National Railroad Passenger Corporation, 1993 W.L. 93 946 (E.D. Pa. 1993); Ritter v. Consolidated Rail Corporation, 1993 W.L. 29151 (E.D. Pa. 1993); Marcus v. Northeast Commuter Services Corp., 1992 W.L. 129637 (E.D. Pa. 1992); McManus v. Glassman's Wynnefield, Inc., 710 F.Supp. 1043 (E.D. Pa. 1989); In re: Rail Collision Near Chase, Maryland, on January 4, 1987; Harvey v. National Railroad Passenger Corporation, et al., 680 F.Supp. 728 (D.Ct. Md. 1987); See also, Nero v. Amtrak, 714 F.Supp. 753, 754 (E.D. Pa. 1989); Rivera v. City of Bethlehem, E.D. Pa. No. 92-3292, Memorandum Opinion and Order, July 20, 1992; Zawacki v. Penpac, Inc., 745 F.Supp. 1044 (M.D. Pa. 1990).

6. The above-described action is one which may be removed to this Honorable Court by Amtrak pursuant to the provisions of 28 U.S.C. §1441 et seq.

in that this action has been brought in a state court, and a District Court of the United States has original jurisdiction under 28 U.S.C. §1331.

7. In addition, the above-described action is a Civil Action over which this Honorable Court has federal question jurisdiction under 28 U.S.C. §1331 given that Plaintiff appears to be alleging a violation of his Constitutional rights and/or a violation of 42 U.S.C.A. § 1983, Civil action for deprivation of rights, against an Amtrak police officer; and/or it appears that the plaintiff has invoked the 28 U.S.C. §1343(3) jurisdiction of this Court in support of a 42 U.S.C. §1983 cause of action.

8. The above-described action is one which may be removed to this Honorable Court by Amtrak pursuant to the provisions of 28 U.S.C. §1441 et seq. in that this action has been brought in a state court, and a District Court of the United States has original jurisdiction under 28 U.S.C. §1331 and/or 28 U.S.C. § 1343.

9. This Notice is filed with this Court within the time for removal set forth in 28 U.S.C. §1446(b), and as set forth in Murphy Brothers, Inc. v. Michetti Pipe Stringing, Inc., 119 S.Ct. 1322 (1999), inasmuch as the thirty (30) day period for removal, which runs from Amtrak's receipt of the Complaint, has not expired.

10. Plaintiff alleges he suffered mental, physical pain and loss of life span due to the actions and/or inaction of Amtrak police officer in arresting Plaintiff on or about April 20, 2004, and the alleged handcuffing Plaintiff and alleged torturing Plaintiff.

11. Defendant, Amtrak is the only named defendant in this matter and is allegedly responsible as per the allegations contained within plaintiff's complaint.


12. Written notice of the filing of this Notice will be given to the adverse parties as required by 28 U.S.C. §1446(d).

13. A true and correct copy of the Notice will be filed with the Prothonotary of the Court of Common Pleas of New Castle County, Delaware, as provided by 28 U.S.C. §1446(d).

14. Pursuant to U.S.C. §1446(a), there is found herewith and by reference made a part hereof a true and correct copy of all process, pleadings and orders served upon the noticing party in this action.

WHEREFORE, Defendant, Amtrak, hereby prays that it may affect the removal of this action from the Court of Common Pleas, County of New Castle, Delaware to the United States District Court for the District of Delaware.

GALLAGHER, ROWAN & EGBERT P.C.

BY:   
JESSICA E. GENSLER LIPPY, ESQUIRE  
Attorney I.D. No. 4426  
Silerside Carr Executive Center  
501 Silerside Road, Suite 94  
Wilmington, DE 19809  
(302) 798-2779  
Attorney for Defendant Amtrak

Date: April 10, 2006

EXHIBIT "A"

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE  
IN AND FOR NEW CASTLE COUNTY

✓ONRC  
3/22

## PRAECIPE

Mark Turulskis  
Plaintiff  
vs.  
amtrak  
Defendants

REGIONAL DIRECTOR  
CLAIMS SERVICES

MAR 27 2006

Civil Action No.

PHILADELPHIA, PA  
via Fed Ex  
RC

RECEIVED  
Amtrak

MAR 28 2006  
2006-00243  
ALICIA M. SERFATY  
GENERAL COUNSEL  
CORPORATE

Please issue \_\_\_\_\_

amtrak  
corporate offices  
60 Massachusetts Ave  
North East  
Washington, D.C.

20002

Mark Turulskis  
Plaintiff

Address 6 Brookside Drive

apt A Wilmington  
Delaware 19804  
Phone

(302) 777-1077

TO: Prothonotary

Tel.  
(202) 9063918  
(202) 4847540

**SUPERIOR COURT CIVIL CASE INFORMATION STATEMENT (CIS)**

COUNTY: N K S

CIVIL ACTION NUMBER: \_\_\_\_\_

Civil Case Code CPIW

Civil Case Type Personal Injury

(SEE REVERSE SIDE FOR CODE AND TYPE)

<p>Caption:</p> <p><u>Mark Tunickish</u></p> <p><u>VS.</u></p> <p><u>amtrak</u></p>	<p>Name and Status of Party filing document:</p> <p>_____</p> <p>Document Type: (E.G.; COMPLAINT; ANSWER WITH COUNTERCLAIM)</p> <p>_____</p> <p>Non-Arbitration _____ eFile _____ (CERTIFICATE OF VALUE MAY BE REQUIRED)</p> <p>Arbitration _____ Mediation _____ Neutral Assessment _____</p> <p>DEFENDANT (CIRCLE ONE) <b>ACCEPT</b> <b>REJECT</b></p> <p>JURY DEMAND YES _____ NO _____</p> <p>TRACK ASSIGNMENT REQUESTED (CIRCLE ONE)</p> <p><b>EXPEDITED</b> <b>STANDARD</b> <b>COMPLEX</b></p>
<p>ATTORNEY NAME(S): <u>Mark Tunickish</u></p> <p>ATTORNEY ID(S): _____</p> <p>FIRM NAME: _____</p> <p><u>6 Brookside Drive</u></p> <p>ADDRESS: _____</p> <p><u>apt A Wilmington</u></p> <p><u>Delaware 19804</u></p> <p>TELEPHONE NUMBER: _____</p> <p>FAX NUMBER: _____</p> <p>E-MAIL ADDRESS: _____</p>	<p>IDENTIFY ANY RELATED CASES NOW PENDING IN THE SUPERIOR COURT BY CAPTION AND CIVIL ACTION NUMBER INCLUDING JUDGE'S INITIALS</p> <p>_____</p> <p>EXPLAIN THE RELATIONSHIP(S):</p> <p>_____</p> <p>OTHER UNUSUAL ISSUES THAT AFFECT CASE MANAGEMENT:</p> <p>_____</p> <p>(IF ADDITIONAL SPACE IS NEEDED, PLEASE ATTACH PAGE)</p>

THE PROTHONOTARY WILL NOT PROCESS THE COMPLAINT, ANSWER, OR FIRST RESPONSIVE PLEADING IN THIS MATTER FOR SERVICE UNTIL THE CASE INFORMATION STATEMENT (CIS) IS FILED. THE FAILURE TO FILE THE CIS AND HAVE THE PLEADING PROCESSED FOR SERVICE MAY RESULT IN THE DISMISSAL OF THE COMPLAINT OR MAY RESULT IN THE ANSWER OR FIRST RESPONSIVE PLEADING BEING STRICKEN.

**Superior Court Form 30**

**In accordance with Superior Court Civil Rule 5(b)(1)**

**Form 30. Interrogatories to be answered by a personal injury litigation party.**

1. Give the name and present or last-known residential and employment address and telephone number of each eyewitness to the incident which is the subject of the litigation.

Cpl. Alex Velazquez  
Wilmington, Delaware Police Department  
300 South Walnut St. - Wilmington, DE 19801  
Tel. (302) 571-4525

2. Give the name and present or last-known residential and employment address and telephone number of each person who has knowledge of the facts relating to the litigation.

Officer Jenkins Amtrak Police 200 S. Franklin  
St. Wilmington, DE 19801 Tel (302) 429-6512

Robert Blatt 612 Brookside Drive, Wilmington, DE  
19801  
19801

3. Give the names of all persons who have been interviewed in connection with the above litigation, including the names and present or last-known residential and employment addresses and telephone numbers of the persons who made said interviews and the names and present or last-known residential and employment addresses and telephone numbers of persons who have the original and copies of the interview.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Identify all photographs, diagrams, or other representations made in connection with the matter in litigation, giving the name and present or last-known residential and employment address and telephone number of the person having the original and copies thereof. (In lieu thereof, a copy can be attached.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



5. Give the name, professional address, and telephone number of all expert witnesses presently retained by the party together with the dates of any written opinions prepared by said expert. If an expert is not presently retained, describe by type the experts whom the party expects to retain in connection with the litigation.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. Give a brief description of any insurance policy, including excess coverage, that is or may be applicable to the litigation, including:

a) The name and address of all companies insuring the risk;

\_\_\_\_\_  
\_\_\_\_\_

b) The policy number(s);

\_\_\_\_\_

c) The type of insurance;

\_\_\_\_\_

d) The amounts of primary, secondary, and excess coverage.

\_\_\_\_\_

7. (Additional interrogatory to be answered by a personal injury litigation plaintiff only)  
Give the name, professional address, and telephone number of all physicians, chiropractors, psychologists, and physical therapists who have examined or treated you at any time during the ten year period immediately prior to the date of the incident at issue in this litigation.

Doctor Yang 400 Kinswood Hwy

~~Doctor E. Howard~~

Wilmington, Delaware

Tel (302) 994-2511

c/o U. A. Hospital

Wilmington, Delaware

Mark Tunkelski Sr.  
6 Brookside Drive  
apt A  
Wilmington, Delaware

19804

SUMMONS

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE  
IN AND FOR NEW CASTLE COUNTY

*Mark Turulski*

v.

*amtrak*

Plaintiff,

Defendant.

CA No.

SUMMONS

THE STATE OF DELAWARE,  
TO THE SHERIFF OF COUNTY:  
YOU ARE COMMANDED:

To summon the above named defendant so that, within 20 days after service hereof upon defendant, exclusive of the day of service, defendant shall serve upon plaintiff's attorney, whose address is , an answer to the complaint (and, if the complaint contains a specific notation requiring the defendant to answer any or all allegations of the complaint by affidavit, an affidavit of defense).

To serve upon defendant a copy hereof and of the complaint.  
Dated:

SHARON AGNEW  
Prothonotary

\_\_\_\_\_  
Per Deputy

TO THE ABOVE NAMED DEFENDANT:

In case of your failure, within 20 days after service hereof upon you, exclusive of the day of service, to serve on plaintiff's attorney named above an answer to the complaint (and, if the complaint contains a specific notation requiring the defendant to answer any or all allegations of the complaint by affidavit, an affidavit of defense), judgment by default will be rendered against you for the relief demanded in the complaint.

SHARON AGNEW  
Prothonotary

\_\_\_\_\_  
Per Deputy

In the Superior Court  
for the State of Delaware in and for  
New Castle County

Mark Turulskian  
Plaintiff  
v.

civil action no.

amtrack  
Defendant

The summons shall be the same as the process  
and notice of service will be sent by regular mail  
on this date to amtrack - corporate offices 60  
Massachusetts ave. North East Washington, D.C. 20002  
and to Wilmington Police 300 North Walnut Street  
Wilmington, Delaware 19801 namely esp alex Velazquez  
a witness also to Alberto Gonzales U.S. Department of  
Justice 950 Penna ave. Northwest - Washington, D.C.  
and to a representative of amtrack 20053  
Jeff Farkin of amtrack police the person who  
did the things to me address 200 South French St  
Wilmington, Delaware 19801 - Tel (302) 429-6512

dated 4-16-06

amtrack  
corporate offices  
60 Massachusetts ave  
North East Washington, D.C.  
Tel (202) 90639180 20002  
(702) 4842540

please note  
service will be  
given to Robert  
Bless 6 Brookside  
Drive ~~Wilmington~~  
Wilmington, DE 19804  
another witness to  
this matter

In the superior court for the state  
of Delaware in and for new castle  
County

Mark Turulski & c.

Plaintiff

v.

amtrack

Defendant

civil action no.

notice of service by me by regular mail this date  
to defendant amtrack - corporate offices 60 Massachusetts  
Ave. North East Washington, D.C. 20002 and a copy  
will be sent to U.S. Attorney General Alberto  
Gonzales U.S. Department of Justice 950 Penn. Ave  
North West Washington, D.C. 20053 also to  
Wilmington Police 300 North Walnut Street, Wilmington  
Delaware 19801 and namely cpl. Alex Velazquez a  
witness and to officer Jordan  
a representative of amtrack the  
person who did these  
things to me.  
amtrack police  
200 South French St.  
Wilmington, Delaware  
19801 Tel (302) 4296512

Dated 4-16-06

Mark Turulski & c.  
Plaintiff

6 Brookside Drive  
apt A Wilmington,  
Delaware 19804

Tel. (302) 777-1077

In the superior court for the  
state of Delaware in and for new castle  
county

Mark Turelski's R  
Plaintiff  
v.

amtrack  
Defendant

### complaint

1. Plaintiff is a U.S. citizen and a citizen  
of the state of Delaware where the things  
herein came to him by defendant.
2. Defendant amtrack corporate office  
is 60 Massachusetts ave. North east Washington  
D.C. 20002.
3. on or about 4-20-04 Defendant  
did the following causing mental, physical  
pain and anguish etc. loss of life span etc.  
the court of common pleas case number is  
0403016366 and was dismissed and that there  
was wrong full arrest etc. and that Defendant  
was immediately a representative of amtrack  
namely officer Forbes because of prejudice and discrimination  
in that Plaintiff was put in the cell behind  
the bars with the handcuffs so tight that his left  
and on his wrist and hands so tight that his left  
wrist was bleeding and left there for approx 8 hours

and that Wilmington police officer  
Cpl. Alex Velazquez said I am not  
supposed to do this because you are  
not in my custody but I am going  
to take them cuffs off and he did  
and more than likely saved my life  
because I was about to have a stroke.  
I have to thank him for that and as  
a former petty officer and military police  
my self I believe he should be congratulated  
and promoted for this. I am also a partly  
disabled and decorated Vet - Korean Veteran  
and this was done to me in time of war  
in my state and country. Shortly thereafter  
my release I had an appointment at  
the Wilmington, Delaware VA Hospital  
and my doctor noted and increase in my  
blood pressure and put me on a different  
types of blood pressure medication for  
the first time and that I never had  
a blood pressure problem before this  
happened and that because of this  
my life expectancy has been  
decreased.



Complaint Page 3 of

and that these actions by  
the defendant are a Violation  
of my and or our United States  
or American constitutional rights  
including article VIII and IX  
of my and or our United States  
Bill of Rights and that said article  
VIII say "Cruel and unusual  
Punishment is forbidden" etc.  
therefore Plaintiff asks the Court  
to award the Plaintiff \$30,000,000.00  
dollars accrued with interest.

However if defendant pays to  
Plaintiff \$3,000,000.00 on or before  
10-10-06 the matter is to be  
considered settled and Justice has  
prevalled.

Plaintiff  
Mark Turekshi SR  
6 Brookside Drive  
APT A  
Wilmington, DE 19804  
Tel. (302) 777-1077

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

MARK TURULSKI, SR.

Plaintiff

vs.

AMTRAK

Defendant

CIVIL ACTION

NO.

JURY TRIAL DEMANDED  
12 JURORS REQUESTED

**CERTIFICATE OF SERVICE**

I, Jessica E. Gensler Lippy, Esquire, attorney for Amtrak hereby certifies that a true and correct copy of the Notice of Removal, was served via certified mail, postage prepaid to:

Mark Turulski, Sr.  
6 Brookside Drive  
Apartment A  
Wilmington, DE 19804

GALLAGHER, ROWAN & EGBERT P.C.

BY:



JESSICA E. GENSLER LIPPY, ESQUIRE  
Attorney I.D. No. 4426  
SILVERSIDE CARR EXECUTIVE CENTER  
501 SILVERSIDE ROAD, SUITE 94  
WILMINGTON, DE 19809  
(302) 798-2779  
Attorney for Defendant Amtrak

Date: April 10, 2006



**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

MARK TURULSKI, SR.

Plaintiff

vs.

AMTRAK

Defendant

CIVIL ACTION

NO.

06-245

JURY TRIAL DEMANDED  
12 JURORS REQUESTED

**CERTIFICATE OF SERVICE**

I, Jessica E. Gensler Lippy, Esquire, attorney for Amtrak hereby certifies that a true and correct copy of the Notice of Removal, was served via certified mail, postage prepaid to:

Mark Turulski, Sr.  
6 Brookside Drive  
Apartment A  
Wilmington, DE 19804

GALLAGHER, ROWAN & EGBERT P.C.

BY: 

JESSICA E. GENSLER LIPPY, ESQUIRE  
Attorney I.D. No. 4426  
Silverside Carr Executive Center  
501 Silverside Road, Suite 94  
Wilmington, DE 19809  
(302) 798-2779  
Attorney for Defendant Amtrak

Date: April 10, 2006

JS 44 (Rev. 11/04)

## CIVIL COVER SHEET

06-245

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

<b>I. (a) PLAINTIFFS</b> <u>MARK TURULSKI, SR.</u>	<b>DEFENDANTS</b> <u>AMTRAK</u>
<b>(b) County of Residence of First Listed Plaintiff</b> <u>NEW CASTLE</u> (EXCEPT IN U.S. PLAINTIFF CASES)	<b>County of Residence of First Listed Defendant</b> (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.
<b>(c) Attorney's (Firm Name, Address, and Telephone Number)</b> <u>(PRO SE PLAINTIFF) MARK TURULSKI, SR.</u> <u>6 BROOKSIDE DRIVE</u> <u>APT A</u> <u>WILMINGTON, DE 19804</u>	<b>Attorneys (If Known)</b> <u>JESSICA E. GENSLEK LIPPY</u> <u>GALLAGHER, ROWAN &amp; EGBERT</u> <u>501 SILVERSIDE ROAD, SUITE 94</u> <u>WILMINGTON, DE 19809</u>

<b>II. BASIS OF JURISDICTION</b> (Place an "X" in One Box Only)	<b>III. CITIZENSHIP OF PRINCIPAL PARTIES</b> (Place an "X" in One Box for Plaintiff and One Box for Defendant)																								
<input type="checkbox"/> 1 U.S. Government Plaintiff <input type="checkbox"/> 2 U.S. Government Defendant <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th></th> <th>PTF</th> <th>DEF</th> <th></th> <th>PTF</th> <th>DEF</th> </tr> <tr> <td>Citizen of This State</td> <td><input type="checkbox"/> 1</td> <td><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business In This State</td> <td><input type="checkbox"/> 4</td> <td><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td><input type="checkbox"/> 2</td> <td><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business In Another State</td> <td><input type="checkbox"/> 5</td> <td><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td><input type="checkbox"/> 3</td> <td><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td><input type="checkbox"/> 6</td> <td><input type="checkbox"/> 6</td> </tr> </table>		PTF	DEF		PTF	DEF	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
	PTF	DEF		PTF	DEF																				
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4																				
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5																				
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																				

IV. NATURE OF SUIT (Place an "X" in One Box Only)					
<b>CONTRACT</b> <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>TORTS</b> <b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	<b>PERSONAL INJURY</b> <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<b>FORFEITURE/PENALTY</b> <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<b>BANKRUPTCY</b> <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	<b>OTHER STATUTES</b> <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input checked="" type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <b>Habeas Corpus:</b> <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	

V. ORIGIN (Place an "X" in One Box Only)							
<input type="checkbox"/> 1 Original Proceeding	<input checked="" type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from another district (specify)	<input type="checkbox"/> 6 Multidistrict Litigation	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judgment	

<b>VI. CAUSE OF ACTION</b>	Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): <u>49 USC 24301 &amp; 42 USC 1983, 28 USC 1343</u> Brief description of cause: <u>Plaintiff alleges police brutality against Amtrak police officer</u>
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<b>VII. REQUESTED IN COMPLAINT:</b>	<input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23	<b>DEMAND \$</b> <u>30,000,000.00</u>	CHECK YES only if demanded in complaint: <b>JURY DEMAND:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
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<b>VIII. RELATED CASE(S) IF ANY</b>	(See instructions): JUDGE _____	DOCKET NUMBER _____
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DATE <u>4/10/06</u>	SIGNATURE OF ATTORNEY OF RECORD <u>Jessica E Gensler Lippy</u>
FOR OFFICE USE ONLY	

RECEIPT # _____	AMOUNT _____	APPLYING IFP _____	JUDGE _____	MAG. JUDGE _____
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